

REMARKS

Applicants respectfully request reconsideration of this application as amended.

Claims 31-33, 35, 37-40, 45-47 and 49 have been amended. Claims 1-30 and 42-44 have previously been cancelled. Therefore, claims 31-41 and 45-49 now are presented for examination.

35 U.S.C. § 102 Rejection

Claims 31-41 and 45-49 as best understood are rejected under 35 U.S.C. §102(e) as being anticipated by Hammersley, U.S. Patent No. 6,618,783 (“Hammersley”).

Applicants respectfully submit that Hammersley discloses “a method for a first processor that controls I/O traffic of a first PCI bus to acquire and relinquish control of a second PCI bus when a second processor for doing the same becomes inoperative.” (col. 8, lines 13-17).

Claim 31, in pertinent part, recites “indicating a fault of either the first host system or the second host system, wherein when the fault occurs, the plurality of applications corresponding to the host system that failed are executed via the plurality of buses of the host system that is still active.” (emphasis provided). Applicants submit that Hammersley does not disclose or suggest such a feature. When a processor in Hammersley becomes inoperative the bus from the inoperative processor is maintained by the active processor (col. 8, lines 13-17); however, that is not the same as upon failure of one host, the applications being executed on that failed host are the executed by the active host via the active host’s bus, and not on the failed host’s bus. (claim 31). Stated differently, the failed host’s bus is not used after the host fails. Accordingly, Applicants respectfully request the rejection of claim 31 and its dependent claims be withdrawn.

Claims 37 and 45 contain limitations similar to those of claims 31. Accordingly, Applicants respectfully request the withdrawal of the rejection of claims 37 and 45 their dependent claims.

Claims 31-41 and 45-49 as best understood are rejected under 35 U.S.C. §102(b) as being anticipated by Lanus, U.S. Patent No. 6,112,271 (“Lanus”).

Applicants respectfully submit that Lanus discloses “a multiconfiguration backplane [that] can be configured in four different configurations: dual, extended, active/standby and active/active. The multiconfiguration backplane [also] has a first COMPACT PCI bus.” (Abstract, lines 1-4). Lanus further discloses that “if there is a *failure in [a first] system processor on the COMPACT PCI bus, the processing load is shifted to [a second] system processor . . .*” on the same COMPACT PCI bus. (col. 5, lines 24-26; emphasis provided).

Claim 31, in pertinent part, recites “indicating a fault of either the first host system or the second host system, wherein when the fault occurs, the plurality of applications corresponding to the host system that failed are executed via the plurality of buses of the host system that is still active.” (emphasis provided). Applicants submit that Lanus does not disclose or suggest such a feature. Both system processors in Lanus are connected via a single COMPACT PCI bus, which is not the same as having a first and a second plurality of buses, as recited by claim 31. Accordingly, Applicants respectfully request the rejection of claim 31 and its dependent claims be withdrawn.

Claims 37 and 45 contain limitations similar to those of claims 31. Accordingly, Applicants respectfully request the withdrawal of the rejection of claims 37 and 45 their dependent claims.

Conclusion

In light of the foregoing, reconsideration and allowance of the claims is hereby earnestly requested.

Invitation for a Telephone Interview

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

Request for an Extension of Time

Applicants respectfully petition for a One Month extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

Charge our Deposit Account

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

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